

PATENT #4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): James P. Lester et al.

APPLICATION NO.: 10/021,752

FILING DATE: October 29, 2001

TITLE: Interactive Delivery of Media Using Dynamic Playlist Generation
Subject to Restrictive Criteria

CONFIRMATION NO: 6272

EXAMINER: Not yet known

GROUP ART UNIT: 2171

ATTY. DKT. NO.: 21685-06159

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231, on the date shown below:

Dated: 2/13/02

By: Robert A. Hulse
Robert A. Hulse, Reg. No.: 48,473BOX NON-FEE AMENDMENT
COMMISSIONER FOR PATENTS
WASHINGTON, DC. 20231

INFORMATION DISCLOSURE STATEMENT

Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449 listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - ☐ attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
 - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not

more than three months prior to the filing of this Statement;
or

- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR

- ☐ after the payment of the issue fee. Applicant request that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.

- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. [APPLICATION NUMBER], filed on [FILING DATE], and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).

- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

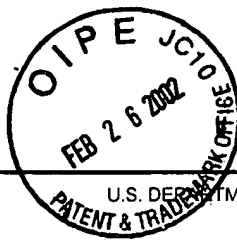
Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
JAMES P. LESTER, ALEXANDER J. KIRK

Dated: 2/13/02

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21685/06159/SF/5068632.1



Sheet 1 of 1

FORM PTO-1449
(REV. 6-89)U.S. DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAttorney's Docket No.
21685-06159Application No.
10/021,752**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Applicant
James P. Lester et al.Filing Date
October 21, 2001Group Art Unit
Not yet known**U.S. PATENT DOCUMENTS**

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A1	5,155,591	10/13/92	Wachob	358	86	
	A2	5,319,455	06/07/94	Hoarty et al.	348	7	
	A3	5,404,566	04/04/95	Wehrmeyer	455	6.3	
	A4	5,557,242	09/17/96	Wetherell	331	17	
	A5	5,557,541	09/17/96	Schulhof et al.	365	514	
	A6	5,787,399	07/28/98	Lee et al.	704	270	
	A7	5,819,160	10/06/98	Foladare et al.	455	45	
	A8	5,892,825	04/06/99	Mages et al.	380	3	
	A9	5,931,901	08/03/99	Wolfe et al.	709	206	
	A10	5,937,164	08/10/99	Mages et al.	395	200.48	
	A11	6,006,257	12/21/99	Slezak	709	219	
	A12	6,035,329	03/07/00	Mages et al.	709	217	
	A13	6,202,056	03/13/01	Nuttall	705	52	
	A14	0019604	09/06/01	Joyce et al.	379	114.2	

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Technology Center 2100**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	B1	WO 00/44171	27/07/00	PCT	H04N	7/16		
	B2							
	B3							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	C1	
	C2	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to applicant.